Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

September 11, 2007.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Rural Utilities Service

Title: Weather Radio Transmitter Grant Program.

OMB Control Number: 0572–0124.

Summary of Collection: The National Weather Service operates an All Hazards Early Warning System that alerts people in areas covered by its transmissions of approaching dangerous weather and other emergencies. The National Weather Service can typically provide warnings of specific weather dangers up to fifteen minutes prior to the event. At present, this system covers all major metropolitan areas and many smaller cities and towns; however, many rural areas lack National Oceanic and Atmospheric Administration's Weather Radio and Alert System (NOAA) Weather Radio coverage. The Weather Radio Transmitter Grant Program will provide grant funds, for use in rural areas and communities of 50,000 or less inhabitants. The grant funds will be processed on a first-come basis until the appropriation is used in its entirety.

Need and Use of the Information: RUS will use the information from the submissions to determine the following: (1) That adequate coverage in the area does not already exist and that the proposed coverage will meet the needs of the community; (2) that design requirements are met; and (3) that the funds needed to complete the project are adequate based on the grant and the matching portion from the applicant.

Description of Respondents: Not for-profit institutions; State, Local or Tribal Government.

Number of Respondents: 113.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 678.

Rural Utility Service

Title: High Energy Cost Grants and State Bulk Fuel Revolving Grant Programs.

OMB Control Number: 0572–0136.

Summary of Collection: The Rural Electrification Act of 1936 (RE Act) (7 U.S.C. 901 et seq.) was amended in November 2000 to create new grant and loan authority to assist rural communities with extremely high energy costs (Pub. L.106–472). This amendment gives authorization to Rural Utilities Service (RUS) to provide competitive grants for energy generation, transmission, or distribution facilities serving communities in which the national average is at least 275% for residential expenditure for home energy. All applicants are required to submit a project proposal containing the elements in the prescribed format.

Need and Use of the Information: USDA will collect information from applicants to confirm that the eligibility requirements and the proposals are consistent with the purposes set forth in the statute. Various forms and progress reports are used to monitor compliance with grant agreements, track expenditures of Federal funds and measure the success of the program. Without collecting the listed information, USDA will not be assured that the projects and communities served meet the statutory requirements for eligibility or that the proposed projects will deliver the intended benefits.

Description of Respondents: Not-for-profit institutions; Business or other for-profit; and State, Local or Tribal Government.

Number of Respondents: 55.

Frequency of Responses: Recordkeeping: Reporting: On occasion.

Total Burden Hours: 1,228.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. E7–18201 Filed 9–14–07; 8:45 am]
BILLING CODE 3410–15–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS–2007–0121]

Determination of Regulatory Review Period for Purposes of Patent Extension; Fel-O-Vax® LvK/FIV Vaccine

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has determined the regulatory review period for Fel-O-Vax® LvK/FIV Vaccine and is publishing this notice of that determination as required

by law. We have made this determination in response to the submission of an application to the Commissioner of Patents and Trademarks, Department of Commerce, for the extension of a patent that claims that veterinary biologic.

DATES: We will consider all requests for revision of the regulatory review period determination that we receive on or before October 17, 2007. We will consider all due diligence petitions that we receive on or before March 17, 2008.

ADDRESSES: You may submit revision requests and due diligence petitions by either of the following methods:

Federal eRulemaking Portal: Go to *http://www.regulations.gov*, select "Animal and Plant Health Inspection Service" from the agency drop-down menu, then click "Submit." In the Docket ID column, select APHIS–2007–0121 to submit or view public comments and to view supporting and related materials available electronically. Information on using Regulations.gov, including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link.

Postal Mail/Commercial Delivery: Please send four copies of your request or petition (an original and three copies) to Docket No. APHIS–2007–0121, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that the request or petition refers to Docket No. APHIS–2007–0121.

Reading Room: You may read the regulatory review period determination and any revision requests or due diligence petitions that we receive on this determination in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.

Other Information: Additional information about APHIS and its programs is available on the Internet at *http://www.aphis.usda.gov*.

FOR FURTHER INFORMATION CONTACT: Dr. Albert P. Morgan, Section Leader, Operational Support Section, Center for Veterinary Biologics, Policy Evaluation and Licensing, VS, APHIS, 4700 River Road Unit 148, Riverdale, MD 20737–1231; phone (301) 734–8245; fax (301) 734–4314.

For information concerning the regulatory review period determination, contact Dr. Patricia L. Foley, Center for Veterinary Biologics, Policy Evaluation and Licensing, VS, APHIS, 510 South 17th Street, Suite 104, Ames, IA 50010; phone (515) 232–5785, fax (515) 232–7120.

SUPPLEMENTARY INFORMATION: The provisions of 35 U.S.C. 156, "Extension of patent term," provide, generally, that a patent for a product may be extended for a period of up to 5 years as long as the patent claims a product that, among other things, was subject to a regulatory review period before its commercial marketing or use. (The term "product" is defined in that section as "a drug product" [which includes veterinary biological products] or "any medical device, food additive, or color additive subject to regulation under the Federal Food, Drug, and Cosmetic Act.") A product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

The regulations in 9 CFR part 124, "Patent Term Restoration" (referred to below as the regulations), set forth procedures and requirements for the Animal and Plant Health Inspection Service's (APHIS) review of applications for the extension of the term of certain patents for veterinary biological products pursuant to 35 U.S.C. 156. As identified in the regulations, the responsibilities of APHIS include:

Assisting the Patent and Trademark Office of the U.S. Department of Commerce in determining eligibility for patent term restoration;

Determining the length of a product's regulatory review period;

If petitioned, reviewing and ruling on due diligence challenges to APHIS' regulatory review period determinations; and

Conducting hearings to review initial APHIS findings on due diligence challenges.

The regulations are designed to be used in conjunction with regulations issued by the Patent and Trademark Office concerning patent term extension, which may be found at 37 CFR 1.710 through 1.791.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For veterinary biologics, the testing phase begins on the date the authorization to prepare an experimental veterinary biologic became effective and runs until the approval phase begins. The approval phase begins on the date an application for a license was initially submitted for approval and ends on the date such license was issued. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Commissioner of Patents and Trademarks may award, APHIS' determination of the length of a regulatory review period for a veterinary biologic will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(5)(B).

APHIS recently licensed for production and marketing the veterinary biologic Fel-O-Vax® LvK/FIV (Feline Immunodeficiency-Leukemia Virus Vaccine, Killed Virus) Vaccine. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for Fel-O-Vax® LvK/FIV Vaccine (U.S. Patent No. 5,510,106) from the Regents of the University of California, and the Patent and Trademark Office requested APHIS' assistance in determining this patent's eligibility for patent term restoration. In a letter dated January 16, 2007, APHIS advised the Patent and Trademark Office that this veterinary biologic had undergone a regulatory review period and that the approval of Fel-O-Vax® LvK/FIV Vaccine represented the first permitted commercial licensing or use of the product. Subsequently, the Patent and Trademark Office requested that APHIS determine the product's regulatory review period.

APHIS has determined that the applicable regulatory review period for Fel-O-Vax® LvK/FIV Vaccine is 1,348 days. Of this time, 0 days occurred during the testing phase of the regulatory review period, and 1,348 days occurred during the approval phase. These periods were derived from the following dates:

1. The date the application for a license was initially submitted for approval under the Virus-Serum-Toxin Act: October 15, 1999. APHIS has verified the applicant's claim that the application was initially submitted on October 15, 1999.

2. The date the license was issued: June 23, 2003. APHIS has verified the applicant's claim that the license for the commercial marketing of the vaccine was issued on June 23, 2003.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,348 days of patent term extension.

Section 124.22 of the regulations provides that any interested person may request a revision of the regulatory

review period determination within 30 days of the date of this notice (see **DATES** above). The request must specify the following:

The identity of the product;

The identity of the applicant for patent term restoration;

The docket number of this notice; and

The basis for the request for revision, including any documentary evidence.

Further, under § 124.30 of the regulations, any interested person may file a petition with APHIS, no later than 180 days after the date of this notice (see **DATES** above), alleging that a license applicant did not act with due diligence in seeking APHIS approval of the product during the regulatory review period. The filing, format, and content of a petition must be as described in the regulations in "Subpart D—Due Diligence Petitions" (§§ 124.30 through 124.33).

Authority: 35 U.S.C. 156.

Done in Washington, DC, this 11th day of September, 2007.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E7–18266 Filed 9–14–07; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Forest Service

Lincoln National Forest; New Mexico; Perk-Grindstone III Hazardous Fuel Reduction Project

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an Environmental Impact Statement; Correction.

SUMMARY: On September 22, 2006, the **Federal Register** published a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the Perk-Grindstone III Hazardous Fuel Reduction Project on the Lincoln National Forest, Smokey Bear Ranger District (71 FR 55419–55421). That document estimated that the Draft Environmental Impact Statement would be available February 2007, and would require a single forest plan amendment, correction of both the estimated date and the number of forest plan amendments is necessary.

Correction: In the **Federal Register** of September 22, 2006, in FR Doc. 71–184, on page 55419, in the first column, correct the **DATES** caption, second sentence to read:

The draft EIS is expected to be available for public review in January 2008 and the final EIS is expected to be published in June 2008.

In the **Federal Register** of September 22, 2006, in FR Doc. 71–184, on page 55419, in the third column, additional information must be added to the Proposed Action caption, first and second paragraph to read:

Proposed forest management work includes noncommercial thinning, commercial thinning involving removal of logs and slash by ground-based skidding or helicopter, ground-based machine work and hand work to pile thinning slash, and slash-pile burning or broadcast burning to dispose of or reduce woody fuels. On existing roads used to support these treatments, maintenance work including forestry best management practices would be performed. Up to 14 miles of road may be constructed or reconstructed, these road will be developed to facilitate proper ground-based skidding and access log-landing areas. Upon completion of logging and other mechanized treatments, temporary roads would be rehabilitated and closed. The remaining roads, needed for long term access would be closed by installing gates or other barriers at road entrances to eliminate motor vehicle use on the road (Forest Plan, p. 47). Closed roads may be reopened when needed for subsequent fuel reduction or other management activities, and then closed following completion of that activity (Forest Plan, p. 37). Closed roads may be used as trails for hiking, mountain biking and horseback-riding. The proposed forest management treatments and roadwork integrated various detail design-features to conserve cultural or historical sites, air quality, soil, water quality, wildlife, native plants and trees, scenery, and recreation.

To achieve desired conditions for the area, the proposed action involves some removal of commercial-size trees from areas of protected habitat of the Mexican spotted owl, a threatened species. Under the current forest plan as amended, these treatments to reduce fuels near urban areas are anticipated; nonetheless, they are a departure from the forestwide standards and guidelines adopted to implement the recovery plan for this species. Additionally, the proposed action will remove canopy cover within Northern goshawk post-fledging areas. Northern goshawk is a Regional Forester sensitive species. These areas may not meet forest plan standards and guidelines for canopy cover. Forest plan standards and guidelines also restrict operation of wheeled of tracked logging equipment to slopes of less than 40%. Operation of logging equipment on slopes in excess of 40% is anticipated under one or more alternatives. Vegetative removal and road construction is likely to be clearly evident, for approximately 10 years, within the project area. The forest plan standards and guidelines for the Visual Quality Objective (VQO) within the project area specify that the area should be managed with a VQO of Retention. Under a Retention VQO, forest management activities may be visible but not clearly evident to the average viewer. Disturbances must appear to be from natural causes. Therefore, to ensure project consistency with the forest plan, the plan would be amended at the same time as and in conjunction with the approval of an action alternative, should one be selected, that involve similar departure form current standards and guidelines to conserve Mexican spotted owl, Northern goshawk, visual quality and limitations on activities on slopes over 40%. The plan amendments would be limited to apply only to the Perk-Grindstone III hazardous fuel reduction project area and its approved activities (36 CFR 219.8(e)).

FOR FURTHER INFORMATION CONTACT: Buck Sanchez, District Ranger, Smokey Bear Ranger District, Lincoln National Forest, 901 Mechem, Ruidoso, NM 88345, telephone (505) 257–4095.

Dated: September 10, 2007.

S.E. "Lou" Woltering,

Forest Supervisor.

[FR Doc. 07–4582 Filed 9–14–07; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Forest Service

Lake Tahoe Basin Federal Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Lake Tahoe Basin Federal Advisory Committee will hold a meeting on October 9, 2007 at the Sierra Nevada College, 999 Tahoe Boulevard, Incline Village, NV 89451. This Committee, established by the Secretary of Agriculture on December 15, 1998 (64 FR 2876), is chartered to provide advice to the Secretary on implementing the terms of the Federal Interagency Partnership on the Lake Tahoe Region and other matters raised by the Secretary.

DATES: The meeting will be held October 9, 2007, beginning at 1 p.m. and ending at 4 p.m.